

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
vs.) NO. 04-30034-MAP
)
MICHAEL CROOKER)

AFFIDAVIT IN SUPPORT OF MOTION TO SUPPRESS
COMPAQ COMPUTER

Now comes Michael Crooker and being duly sworn hereby deposes and states as follows;

I am the defendant in the above entitled matter. As a result of receiving additional Rule 16 materials I learned that my laptop computer was transferred from Connecticut to Virginia and searched under authority of a search warrant which had expired.

I believe that at the time of the search the agents conducting the search knew or had to know the warrant previously authorizing the search had expired. I believe and therefore aver the search conducted by agents of the FBI was warrantless and not with a valid warrant present to guide the officer conducting the search, not made under Judicial Supervision within the District where the search took place. I believe I am entitled to an Evidentiary Hearing to determine exactly how my computer was transported to Virginia and by whose authority. I believe discovery necessary for me to establish all of my basis for suppression of the warrantless searches has not yet been provided to myself or my attorney.

Signed under the pains and penalties of perjury this 6th day of June 2006.

/s/ Michael Crooker
